

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:04 CR 626
)	
Plaintiff,)	
)	JUDGE DONALD C. NUGENT
v.)	
)	
RONALD CARSON,)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>
Defendant.)	

This matter comes before the Court upon Defendant, Ronald Carson's Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 626. (ECF #70). He also requests appointment of counsel in connection with this request. The Government filed a Response to the Motion, and Mr. Carson filed a Reply. (ECF #71, 72). The Defendant's Motion is hereby, DENIED in part and GRANTED in part.

Mr. Carson seeks a reduction to his sentence based on the proposed Amendment 782 to the Sentencing Guidelines. This amendment, if not modified or disapproved by Congress prior to November 1, 2014, will revise the Drug Quantity Table in U.S.S.G. § 2D1.1 and reduce the offense level of many drug trafficking offenses by two levels. The Sentencing Commission has also voted, pursuant to 28 U.S.C. § 994(u), to make this amendment retroactive. However, no reductions may be granted under this amendment prior to its proposed effective date of November 1, 2014.

Mr. Carson has also requested, through his motion, that the Court appoint an attorney to help him pursue his request for a sentence reduction under the proposed amendment. Mr.

Carson's request for a sentence reduction is DENIED at this time as premature. His request for appointment of counsel, however, has been GRANTED. Pursuant to General Order No. 2014-07, signed by Chief Judge Solomon Oliver, Jr. On August 29, 2014, the United States District Court for the Northern District of Ohio has appointed the Office of the Federal Public Defender for the Northern District of Ohio to represent those inmates who have are identified as being potentially eligible for sentence reductions under U.S.S.G. § 2D1.1, as amended and codified by U.S.S.G. Amendment 782, once it becomes effective (assuming Congress allows it to become effective) on November 1, 2014. IT IS SO ORDERED.

/s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: September 23, 2014